

Understanding Our Criminal Justice System  
Class 8  
Extra Questions and Answer Civics  
Chapter 6 Very Short Answers Type

Question 1.

Who has the legal right to get a free copy of the FIR from the police?

Answer:

The complainant also has a legal right to get a free copy of the FIR from the police.

Question 2.

When does the role of the prosecutor begin?

Answer:

The role of the prosecutor begins once the police has conducted the investigation and filed the charge sheet in the court.

Question 3.

When does the police begin their investigations into a crime?

Answer:

It is with the registration of an FIR that the police can begin their investigation into a crime.

Question 4.

What has been mentioned in the D.K. Basu guidelines about the friend and relative of the person arrested, detained or being interrogated?

Answer:

The person arrested, detained or being interrogated has a right to inform a relative, friend or well-wisher.

Question 5.

Mention the four key players in the criminal justice system?

Answer:

The four key players in the criminal justice system are the police, the Public Prosecutor, the defence lawyer and the judge.

Question 6.

Mention any one of the Fundamental Rights that Article 22 of the Constitution guarantees to every arrested person.

Answer:

The Right not to be ill treated or tortured during arrest or in custody.

Question 7.

What does the rule of law say?

Answer:

The rule of law says that every one is equal before the law. The words will not make much sense if every citizen were not guaranteed a fair trial by the Constitution.

Question 8.

What was the final verdict in Shanti's case?

Answer:

In Shanti's case, justice was finally done to her because she was given a fair trial.

What is one of the important function of police?

Answer:

One important function of the police is to investigate any complaint about the commission of a crime.

Question 13.

Mention any one Fundamental Right guaranteed in Article 22 and criminal law to every arrested person.

Answer:

The Right to be presented before a magistrate within 24 hrs of custody.

Question 14.

Name the guidelines laid down by the Supreme Court of India which had to be followed while the process of arrest, detention interrogation of any person?

Answer:

D.K. Basu guidelines.

Question 15.

On whose behalf does the prosecution must conduct the prosecution?

Answer:

On behalf of the state.

Question 16.

Where does the judge conducts the trial?

Answer:

The judge conduct the trial impartially and in an open court.

Question 17.

What does Accused means?

Answer:

This refers to the person who is tried by a court for a crime.

Question 18.

Define the term 'offence'.

Answer:

It means that any act which is defined as crime by the law.

### SHORT ANSWER TYPE QUESTIONS.

Question 1.

Define the term "Criminal Justice System'.

Solution:

Criminal justice system is the 'body of law' or 'Court' regulating the inquiry into whether a person has violated criminal law or not.

Question 2.

Write a brief note on the criminal procedure in the Criminal Justice System in India.

Solution:

A crime is first reported by the victim to the Police and the police file a FIR or First Information Report. Then the police begin the investigation and arrest the suspected person or persons. The police then file a charge sheet in the Magistrate's Court. The trial begins in court. The Public Prosecutor represents the victim and the accused can defend themselves with the help of a lawyer. Once the trial is over the accused is either convicted or acquitted. If convicted, the accused can appeal to the higher court.

Question 3.

What is the role of the police in the Criminal Justice System?

Solution:

In the Criminal Justice System the police play the role of investigating the case and arresting the accused.

Question 4.

What are the guidelines that the police have to follow during investigation?

Solution:

Police investigations have to be conducted in accordance with law and with full respect for human rights. The police are not allowed to torture or beat or shoot anyone during investigation. They cannot inflict any form of punishment on a person even for petty offences.

Question 5.

What are D.K. Basu Guidelines?

Solution:

D.K. Basu Guidelines are as follows

The police officials who carry out the arrest or interrogation should wear clear, accurate and visible identification and name tags with their designations.

A memo of arrest should be prepared at the time of arrest and should include the time and date of arrest. It should also be attested by at least one witness who could include a family member of the person arrested. The arrest memo should be counter-signed by the person arrested.

The person arrested, detained or being interrogated has a right to inform a relative, friend or well wisher.

When a friend or relative lives outside the district, the time, place of arrest and venue of custody must be notified by police within 8 to 12 hours after arrest.

Question 6.

What is a FIR?

Solution:

FIR stands for First Information Report. The police have to file a FIR whenever a person gives information about a known offence. This information can be given to the police either orally or in writing. A FIR is necessary for the police to begin their investigations into a crime.

The FIR should mention the date, time and place of the offence, details about the offence, including a description of the events. The FIR should also state the name and address of the complainant. There is a prescribed form in which the police register an FIR and it is signed by the complainant. The complainant also has a legal right to get a free copy of the FIR from the police.

Question 7.

Who is a Prosecutor?

Solution:

'The Prosecutor' is a lawyer representing the state or the people of the state in a criminal trial.

Question 8.

Why is the Prosecutor called a Public Prosecutor?

Solution:

The Prosecutor who represents the State is called a Public Prosecutor as a criminal offence is regarded as a public wrong, which has been committed not only against the victim, but also against the society as a whole.

Question 9.

What is the role of the judge in the Criminal Justice System?

Solution:

The judge conducts the trial impartially and in an open court. The judge hears all the witnesses and any other evidence presented by the prosecution and the defence. The judge decides whether the accused person is guilty or innocent on the basis of the evidence presented and in accordance with the law. If the accused is convicted, then the judge pronounces the sentence. He may send the person to jail or impose a fine or both, depending on what the law prescribes.

Question 10.

What are the procedures that have to be followed if the criminal trial has to be a Fair Trial?

Solution:

A copy of the charge sheet and all other evidence has to be given to the accused. The trial has to be held in an open court, in public view, and should be in the presence of the accused. The accused has to be given a lawyer to defend himself in case he cannot afford to employ a lawyer.

The Prosecution has to prove beyond doubt the guilt of the accused and the Judge has to pass the judgment only on the basis of the evidence before the court.

Question 10.

What is there in the Fundamental Rights guaranteed in Article 22 of the Constitution.

Answer:

1. Article 22 of the Constitution and criminal law guarantee to every arrested person the following Fundamental Rights:

2. The Right to be informed at the time of arrest of the offence for which the person is being arrested.

3. The Right to be presented before a magistrate within 24 hrs of arrest.

4. The Right not to be ill-treated or tortured during arrest or in custody.

5. Confessions made in police custody cannot be used as evidence against the accused.

6. A boy under 15 yrs of age and women cannot be called to the police station only for questioning.

